

REMARKS/ARGUMENTS

By the present Amendment, claims 2-9, 11-13 and 17-19 are pending in this application. Claim 19 has been allowed. Claims 8, 17, and 18 are objected to for being dependent on rejected base claim 1. Claim 1 is canceled herein without prejudice. Pending claims 2-9, 11-13, 17 and 18 are amended herein to be dependent from claim 19. Claim 10 was previously canceled. Claims 14-16 were previously withdrawn as being drawn to non-elected subject matter. Withdrawn claims 14-16 are amended herein to be dependent from allowed claim 19. Applicants reserve the right to file one or more continuation, continuation-in-part, or divisional applications towards any canceled or withdrawn subject matter. Claims 2-9, 11-13, 17, and 18 are amended herein. Basis for these amendments may be found in the specification as originally filed. For example, basis for the amendments in claim 9 may be found in claim 19, and on page 5, paragraph [0016] to page 8, paragraph [0034] of the specification as originally filed. Other claim amendments provide the correct claim dependencies or correct typographical errors. No new matter has been added.

Claim Rejections - 35 U.S.C. §103

The rejection of claims 1-7, 9, and 11-13 under 35 U.S.C. §103(a) as allegedly being unpatentable over Kumar et al. (Journal of Medicinal Chemistry 2003, 46(14), 2813-2815) has been maintained. As amended herein, claim 1 has been canceled, and claims 2-7, 9 and 11-13 are now dependent from allowed independent claim 19. These dependent claims further define the subject matter of claim 19 and therefore, like claim 19, are not obvious over the teachings of Kumar et al. Applicants respectfully request reconsideration and removal of this rejection.

Claim Rejections - 35 U.S.C. §102

Kumar et al.

Claims 1-7, 9, and 11-13 are rejected under 35 U.S.C. §102(a) as allegedly being anticipated by Kumar et al. (Journal of Medicinal Chemistry 2003, 46(14), 2813-2815). As amended herein, claim 1 has been canceled, and claims 2-7, 9 and 11-13 are now dependent from allowed independent claim 19. These dependent claims further define the subject matter of claim 19 and therefore, like claim 19, are not anticipated by the disclosure of Kumar et al. Applicants respectfully request reconsideration and removal of this rejection.

DiCesare et al.

Claim 1 has been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by DiCesare et al. (Tetrahedron Letters (2002), 43(14), 2615-2618). As amended herein, claim 1 has been canceled, which renders this rejection moot. Applicants respectfully request reconsideration and removal of this rejection.

Rejoinder of Claims 14-16

As amended herein, withdrawn claims 14-16 are dependent from allowed independent claim 19. As such, claims 14-16 include all the limitations of the allowed claim. Applicants respectfully request that the requirement for restriction between Group I claims (claims 1-13, drawn to compounds), and Group II claims (claims 14-16, drawn to pharmaceutical methods of use of compounds of Group 1) be withdrawn, and rejoined claims 14-16 be examined for patentability in accordance with 37 CFR §1.104.

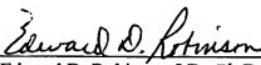
CONCLUSION

In view of the above amendments and remarks, reconsideration and favorable action on all claims are respectfully requested. In the event any matters remain to be resolved, the Examiner is requested to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

A petition for a one month extension of time under 37 CFR §1.136(a) accompanies this response. The Commissioner is hereby authorized to charge \$65.00 as the fee for the one month extension of time to Deposit Account 07-1896 referencing the above-identified attorney docket number. No other fees are believed to be due in connection with the filing of this paper. However, the Commissioner is hereby authorized to charge any fees that may be required by this paper, or credit any overpayment to Deposit Account 07-1896 referencing the above-identified attorney docket number.

Respectfully submitted,

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